

ORDINANCE NO. 2016-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING THE FLAGSTAFF CITY CODE, TITLE 2, *BOARDS AND COMMISSIONS*, BY AMENDING CHAPTER 2-02, *BUILDING AND FIRE CODE BOARD OF APPEALS*; CHAPTER 2-04, *WATER COMMISSION*; CHAPTER 2-08, *COMMISSION ON DIVERSITY AWARENESS*; CHAPTER 2-10, *BOARD OF ADJUSTMENT*; CHAPTER 2-11, *FLAGSTAFF AIRPORT COMMISSION*; CHAPTER 2-12, *TRANSPORTATION COMMISSION*; CHAPTER 2-14, *BEAUTIFICATION AND PUBLIC ART COMMISSION*; CHAPTER 2-19, *HERITAGE PRESERVATION COMMISSION*; AND CHAPTER 2-20, *OPEN SPACES COMMISSION*, THEREOF; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the Flagstaff City Council desires to have consistency among the various boards and commissions of the City with regard to the number of members required for a quorum;

WHEREAS, Title 2, Boards and Commissions, of the Flagstaff City Code contains quorum requirements for the various boards and commissions of the City that are not consistent.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-02, *Building and Fire Code Board of Appeals*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-02-001-0002 Membership of Board

- A. The Board of Appeals shall consist of seven (7) individuals, serving three (3) year staggered terms, appointed by the Council who are qualified by experience and training to pass upon matters pertaining to building construction and pertinent matters of the Fire Code, Chapter 5-02.
- B. The Building Official and Fire Marshal shall be ex officio members of said Board but shall have no vote on any matter before the Board.
- C. A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be more than fifty percent (50%) of the voting membership of the Board.~~
- D. Citizen members of the Board may be removed by the Mayor and Council for inefficiency, neglect of duty or malfeasance in office or in accordance with the Board and Commission Members' Rules and Operations Manual adopted by resolution of the City Council.

SECTION 2. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-04, *Water Commission*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-04-001-0006 Meetings

The meetings of the Commission shall be held at the time and place adopted for the regular monthly meetings of the Commission.

Meetings shall be conducted in accordance with the Board and Commission Members' Rules and Operations Manual adopted by resolution of the Flagstaff City Council, and in compliance with all other local, State, and Federal laws.

A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one (1) more than half the voting membership of the Commission.~~

SECTION 3. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-08, *Commission on Diversity Awareness*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-08-001-0005 MEETINGS; ATTENDANCE:

A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one (1) more than half of the voting membership of the Commission.~~

The Commission shall meet at such times, dates and locations as determined by the members except that the Chairperson may call a special meeting with not less than twenty-four (24) hours' notice.

A regular member who is absent for two (2) consecutive unexcused regular meetings may be removed from the Commission by a vote of the City Council upon recommendation of the Commission.

SECTION 4. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-10, *Board of Adjustment*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-10-001-0003 MEETINGS

The meetings of the Board of Adjustment shall be open to the public and held at the time and place adopted for the regular monthly meetings of the Board. Meetings shall be conducted in accordance with the Board and Commission Members' Rules and Operations Manual adopted by resolution of the Flagstaff City Council, and in compliance with all other local, State, and Federal laws. The minutes of its proceedings, showing the vote of each member and records of its examinations and other official actions shall be kept by the City Clerk as a public record.

A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one (1) more than half the voting membership of the Board of Adjustment.~~

SECTION 5. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-11, *Flagstaff Airport Commission*, is hereby amended as set forth below (deletions shown as stricken, and

additions shown as capitalized text):

2-11-001-0002 COMPOSITION; TERMS:

The composition of the membership of the Commission shall be as follows:

- A. Seven (7) members to be appointed by the City Council who shall serve for three (3) year terms, on a staggered basis.
- B. Ex Officio Members: The following persons shall be ex officio members of the Commission, but shall have no vote:
 - The Mayor;
 - The City Manager;
 - The Airport Manager;
 - The FAA Tower Operator.
- C. A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one (1) more than half~~
~~the voting members~~ **OF THE COMMISSION.**

SECTION 6. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-12, *Transportation Commission*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-12-001-0004 MEETINGS:

The Commission shall meet quarterly and/or at the request of its Chairperson for the disposal of such business as may come before it.

Meetings shall be conducted in accordance with the Board and Commission Members' Rules and Operations Manual adopted by resolution of the Flagstaff City Council, and in compliance with all other local, State, and Federal laws.

A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one (1) more than half the voting membership~~ of the Commission.

SECTION 7. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-14, *Beautification and Public Art Commission*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-14-001-0005 MEETINGS:

- A. The Commission shall hold at least one regular meeting per month, which shall at all times be open to the public, the time and place of said meeting shall be posted in accordance with the applicable Arizona State Statutes.
- B. A quorum consisting of a minimum of **FOUR (4)** ~~five (5)~~ voting members **OF THE COMMISSION** shall be required to conduct business.

SECTION 8. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-19, *Heritage Preservation Commission*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-19-001-0004 MEETINGS

The Commission shall at a minimum hold at least one regular meeting quarterly, but shall normally hold monthly meetings.

A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one more than half of the full membership~~ of the Commission.

SECTION 9. The Flagstaff City Code, Title 2, *Boards and Commissions*, Chapter 2-20, *Open Spaces Commission*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

2-20-001-0005 MEETINGS; ATTENDANCE:

The Commission shall meet on a quarterly basis, at a minimum, at such times, dates and locations as determined by the members, except that the chairperson may call a special meeting with not less than 24 hours' notice. All other rules or procedures shall be established by the members so long as the rules are consistent with state law, including the Open Meetings Law, the City charter and this ordinance.

A quorum shall **CONSIST OF FOUR (4) VOTING MEMBERS** ~~be one more than half of the voting membership~~ of the Commission.

A regular Commission member who is absent for three consecutive regular meetings may be removed from the Commission by a vote of the City Council.

SECTION 10. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 11. Clerical Corrections.

The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 12. Effective Date.

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of July, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY